PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:

Serial No.:

10/575,324

Filed:

April 10, 2006

For:

BREATHING ASSISTANCE)

APPARATUS

Inventors:

Gradon et al.

Examiner:

Not yet assigned

Art Unit:

Not vet assigned

Conf. No.:

Not yet assigned

Attv. Ref:

1171/44893/168-PCT-US

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July 12, 2006

Support & Lynch

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Information Disclosure Statement and the attached Form PTO/SB/08A

In accordance with 37 CFR §1.98(2)(ii) Applicant has not included copies of the United States patent(s) disclosed in this Information Disclosure Statement.

This Information Disclosure Statement is being filed before receipt of the first Office Action on the merits and constitutes as a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

WO 98/48878 is not in the English language. WO 98/48878 discloses an invention that relates to a breathing mask used in a CPAP system, comprising one or several of the following devices: a) a fixing device enabling the breathing mask to be placed at less pressure on the wearer's face with a securing strap (32); b) a sound-proof air outlet (2); c) an air-feed connecting element (40); d) a mask seal which seals the mask to the wearer's face without damaging the skin.

In accordance with 37 CFR §1.97, the presentation of this information shall not be construed as a representation that a search has been made or that no other material information as defined in 37 CFR §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56.

It is believed no fee is required, however, should the Examiner feel otherwise, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: (12, 2006

Ragord A. Blackstone, Jr., Reg. No. 25,156 Linda L. Palomar, Reg. No. 37,903

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Col	mplete if Known
Application Number	10/575,324
Filing Date	April 10, 2006
First Named Inventor	Lewis George Gradon
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	1171/44893/168-PCT-US
	U.S. Patent and Trade orespond to a collection of informa Co. Application Number Filing Date First Named Inventor Art Unit Examiner Name

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ^{2 (FANOAR)}			1 igures Appear
		^{US-} 4938209	07/03/1990	Fry	
		us- 6347631	02/19/2002	Hansen et al.	
		US- 5449206	09/12/1995	Lockwood	
		US- 2002/0026934	03/07/2002	Lithgow et al.	
		^{US-} 2004/0035427	02/26/2004	Bordewick et al.	
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Examiner Initials*	Cite Foreign Patent Document		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T°.
		WO 82/03548	10/28/1982	Somed Pty. Ltd.		
		WO 98/48878	11/05/1998	Morgenstern		
		WO 98/24499	06/11/1998	Resmed Limited		L
		WO 2005/018523	03/03/2005	RIC Investments, LLC		
		WO 03/092755	11/13/2003	Acordis Speciality Fibers		
		WO 04/030736	04/15/2004	Fisher & Paykel Healthcar		

Examiner Signature	/Rachel Young/	Date Considered	08/26/2009

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$\overline{}$	Substitute for form 1449/PTO	Complete if Known		
		Application Number	10/575,324	
	INFORMATION DISCLOSURE	Filing Date	April 10, 2006	
		First Named Inventor	Lewis George Gradon	
	STATEMENT BY APPLICANT	Art Unit	Not Yet Assigned	
l	(Use as many sheets as necessary)	Examiner Name	Not Yet Assigned	
$\overline{}$	Sheet 2 of 2	Attorney Docket Number	1171/44893/168-PCT-US	

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		AU 783657	11/24/2005	Diane McCudden		
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This collection of information is required by 37 CFR 1,97 and 1,98. The information is required to obtain or retain a benefit by the gubtic which is to file (and by the User) to process) an application. Conditionality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending under individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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